

THE STATE OF NEW HAMPSHIRE  
WATER COUNCIL

RECEIVED

JUN 29 2006

Docket No. 06-08 WC – Conservation Law Foundation Appeal

**MOTION TO INTERVENE**

NOW COMES the State of New Hampshire Department of Transportation (the “Department”), by and through its attorneys, the Office of the Attorney General and respectfully requests intervention in the above-captioned matter.

1. Pursuant to RSA 541-A:32 and New Hampshire Administrative Rules Env-WC 203.12, the Department respectfully requests intervention in the above matter.

2. The Department has an interest in the proceedings in that it is the Owner/Applicant for Water Quality Certificate #2002-007 approved on May 2, 2006 by the New Hampshire Department of Environmental Services Wetlands Bureau, and as such its interests may be affected by the outcome of this case.

3. Neither the interests of justice nor the orderly and prompt conduct of the proceedings will be impaired by allowing the Department to intervene in this case.

WHEREFORE, the State of New Hampshire Department of Transportation requests:

- A. To be allowed to intervene in this matter; and
- B. For such other relief as may be just and equitable.

Respectfully submitted,

THE STATE OF NEW HAMPSHIRE

By its attorneys,

Kelly A. Ayotte

Date:

June 27, 2006**COPY**

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 Mark P. Hodgdon  
 Senior Assistant Attorney General

Date:

June 27, 2006**COPY**

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 Edith L. Pacillo  
 Assistant Attorney General  
 Transportation & Construction Bureau  
 33 Capitol Street  
 Concord, New Hampshire 03301-6397  
 (603) 271-3675

**Certificate of Service**

I certify that a copy of the foregoing has on this 27 day of June, 2006, been mailed,  
 postage prepaid to Thomas F. Irwin, Esquire and delivered to Allen Brooks, Esquire.

**COPY**

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 Mark P. Hodgdon